



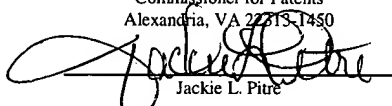
APR 3 7 32  
PATENT  
5838-00300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/864,510  
Confirmation No.: 2445  
Filed: May 24, 2001  
Inventor(s):  
Murphy et al.

§  
§ Examiner: R. Lewis  
§ Group/Art Unit: 3732  
§ Old Atty. Dkt. No.: 28122.89  
§ New Atty. Dkt. No.: 5838-00300  
§

Title: VENTRICULAR  
RESTORATION SHAPING  
APPARATUS AND  
METHOD OF USE

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8 DATE OF DEPOSIT: 3/12/04 I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Commissioner for Patents Alexandria, VA 22313-1450  Jackie L. Pitré
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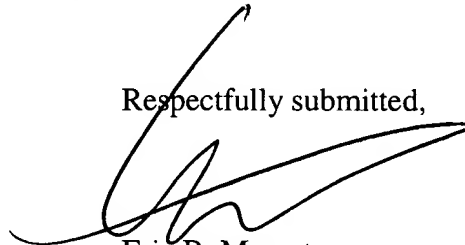
**EXAMINER INTERVIEW SUMMARY**

Applicant's undersigned attorney and Applicant's agent (Neal E. Persky, Reg. No. 53,452) conducted a phone interview with Examiner Ralph A. Lewis on March 12, 2004. In the interview, Examiner Lewis and Applicant discussed Examiner Lewis' rejections of some of Applicant's claims (Application No.: 09/864,510) as outlined in the Office Action mailed February 19, 2004. Applicant respectfully disagreed that the art cited by Examiner Lewis reads upon Applicant's method claims. Examiner Lewis stated that he was receptive to potentially withdrawing his rejection in view of Applicant's arguments. Examiner Lewis stated that he would reconsider his rejections of Applicant's claims based on 35 U.S.C. 112, Second Paragraph. Examiner Lewis stated that he would reconsider his rejection of Applicant's apparatus claims based on 35 U.S.C. 102(b) and 103(a). Examiner Lewis and Applicant discussed potential claim amendments and potential addition of a Rule 132 declaration to this case.

Inventors: Murphy et al.  
Appl. Ser. No.: 09/864,510  
Atty. Dkt. No.: 5838-00300

Applicant believes that no fees are due in association with the filing of this document. If any fees are required, please charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5838-00300/EBM.

Respectfully submitted,



Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. Box 398  
AUSTIN, TX 78767-0398  
(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: 3/12/04